

October 7, 2005

Defense Acquisition Regulations Council
Attn: Ms. Amy Williams
OUSD (AT&L) DPAP (DAR)
IMD 3C132
3062 Defense Pentagon
Washington, DC 20301-3062

RE: DFARS Case 2004-D010
Proposed Rule to amend the Defense Federal Acquisition Regulations
Supplement (DFARS) related to export control

Dear Ms. Williams:

I am currently the Vice President for Research of the University of Medicine and Dentistry of New Jersey (UMDNJ), an institution whose mission is to conduct basic, translational, and clinical research to further the health of the citizens of the State of New Jersey and the nation.

I wish to state my strong opposition to the proposed rule to amend the Defense Federal Acquisition Regulations Supplement (DFARS) related to export control. In my considered opinion this amendment would do serious and irreparable harm to the research enterprises of the three UMDNJ medical schools, New Jersey Medical School, Robert Wood Johnson Medical School, our School of Osteopathic Medicine as well as to New Jersey Dental School and our Graduate School of Biological Studies. Moreover, it is clear that in the long run this amendment would have the opposite effect from that intended. There is no question in my mind that it would be seriously detrimental to the research competitiveness of the United States, would be burdensome and expensive to implement, and is totally unnecessary. My reasons are as follows:

- Most equipment currently falls under the research exemption. Thus, all equipment at this institution would now need to be inventoried and classified to determine if it falls under this rule. Estimates suggest that this might cost on the order of \$1M for even a modest-sized research-based institution.
- This rule would have a chilling effect on our ability to recruit quality graduate students. These students form a substantial part of our research workforce.

- This is unnecessary because visa requirements are already unduly restrictive. There seems to be no need to place another barrier to the recruitment of students from other countries, who constitute a large fraction of our workforce primarily because of the demonstrable reluctance of Americans to become scientists.
- By basing the requirement for a license strictly on the country of birth of the person, the policy has distinct racist overtones.
- By slowing scientific research progress in the United States, this rule may have the opposite effect to that intended. Specifically it may reduce, rather than increase, the competitiveness of this country in the world.

This rule would have a seriously negative impact on science as well as on our ability to compete in the world marketplace. It would be burdensome and expensive to implement. And it is not necessary.

I urge you to drop, or substantially reconsider the proposed rule.

Sincerely,

A handwritten signature in black ink, appearing to read "N. Ronald Morris". The signature is fluid and cursive, with the first name "N." followed by a large, stylized "R" and "M".

N. Ronald Morris, M.D.
Interim Vice President for Research